

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**  
**CONTINUED PROSECUTION APPLICATION (CPA) REQUEST TRANSMITTAL**  
 (for nonprovisional applications under 37 CFR § 1.53(d))

DUPLICATE ☐

Attorney Docket No. 20239-0703  
 First Named Inventor Cardosa  
 Examiner Mary Mosher  
 Group Art Unit 1648

#18  
 Reg. CPA  
 4:15pm  
 1/14/03  
 4 Susp. Action  
 (3 mos)

Assistant Commissioner for Patents  
**BOX CPA**  
 Washington, D.C. 20231

This is a request for a ☒ continuation or ☐ divisional application under 37 C.F.R. § 1.53 (d),  
 (continued prosecution application (CPA) of prior application number 09/147,919  
 filed on March 23, 1999, entitled Recombinant MVA Virus Expressing Dengue Virus  
Antigens and Use Therof in AVaccines.

- ☒ The entire disclosure of the prior application referenced above, is considered as being part of the application filed herewith and is herein incorporated by reference in its entirety.
- ☒ Enter the unentered amendment previously filed on November 4, 2002 under 37 CFR 1.116 in the prior nonprovisional application.
- ☐ A Preliminary Amendment [ ] page(s) is enclosed.
- ☐ This application is filed by fewer than all the inventors named in the prior application, 37 C.F.R. § 1.53(d)(4).
- a. ☐ DELETE the following inventor(s) named in the prior nonprovisional application:
- b. ☐ The inventor(s) to be deleted are set forth on a separate sheet attached hereto.
- ☐ A new power of attorney or authorization of agent (PTO/SB/81) is enclosed.
- ☐ An Information Disclosure Statement (IDS) is enclosed: [ ] page(s) of PTO-1449 [ ] copies of IDS
- Citations
- ☒ Applicant requests Suspension of Action for a period of 3 months under 37 CFR 1.103(b). The fee under 37CFR 1.17(i) is enclosed.
- ☒ A copy of a Petition for Extension of Time (3 months) filed previously in prior Application No. 09/147,919 is enclosed.
- ☒ Conditional Petition for Extension of Time. An extension of time is requested to provide for timely filing if an extension of time is still required after all papers filed with this communication have been considered.
- ☐ Assignment Papers are enclosed. [ ] page(s) of Assignment Recordation Cover Sheet and [ ] page(s) of Assignment
- ☐ A copy of a Submission of Processing & Retention Fee (37 C.F.R. § 1.78(a)(1) which is being filed simultaneously in prior Application No. \_\_\_\_\_ is enclosed.
- ☒ Applicant(s) claim Small Entity Status under 37 CFR §1.27
- ☒ Receipt for Facsimile Transmitted CPA (PTO/SB/29A) is enclosed.
- ☐ Receipt Postcard (MPEP 503) is enclosed. (Should be specifically itemized)
- ☐ \_\_\_\_\_ (specify)

**Fee Calculation**☒ The following fees are submitted:

The fees to be charged are based on claims:

☐

included in the prior application

☒

after entry of the Amendment filed on November 4, 2002

☐

after entry of Preliminary Amendment, attached hereto.

**CALCULATIONS**

		<b>OTHER THAN SMALL ENTITY</b>	<b>SMALL ENTITY</b>	
<b>BASIC NATIONAL FILING FEE</b>		\$ 710.00	\$ 355.00	\$ 355.00
<b>CLAIMS</b>	<b># FILED</b>	<b># EXTRA</b>	<b>RATE</b>	<b>RATE</b>
Total Claims	21 - 20 =	1	× \$18.00	× \$ 9.00
Independent claims	5 - 3 =	2	× \$80.00	× \$40.00
<b>MULTIPLE DEPENDENT CLAIM(S)</b>				
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		\$270.00	\$135.00	\$
Fee for recordation of the enclosed assignment (37 CFR 1.21(h), 3.28, 3.31). n/a				
____ (Numbers of Applications) × \$40.00				\$
<b>OTHER FEES</b> <i>Suspension of Action for 3 months under 37 CFR 1.103(b) and 1.17(i)</i>				\$ 130.00
<b>OTHER FEES</b> _____ (specify)				\$
<b>TOTAL FEES =</b>				<b>\$ 574.00</b>

- a. ☐ A check in the amount of \$ \_\_\_\_\_ to cover the above fees is enclosed.
- b. ☒ Please charge my Deposit Account No. 502518, Docket No. 20239-0703, in the amount of \$ 574.00 to cover the above fees. *A duplicate copy of this sheet is enclosed.*
- c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 502518, Docket No. 20239-0703.  
*A duplicate copy of this sheet is enclosed.*

SEND ALL CORRESPONDENCE TO:

Antoinette Konski  
 Bingham McCutchen, LLP  
 Three Embarcadero Center, Suite 1800  
 San Francisco, CA 94111  
 Telephone: (415) 393-2000

SIGNATURE

DATE

Susan T. Hubl, Ph.D., Patent Agent Reg. No. 47,668

NAME

REGISTRATION NUMBER

BINGHAM MCCUTCHEN

**Facsimile**

00109461

**FAX RECEIVED**

JAN 08 2003

DATE January 7, 2003

**GROUP 1600**

	NAME	FAX	PHONE
TO	Examiner Mary Mosher, Group Art Unit 1748 USPTO	(703) 308-4242	(703) 308-2926

FROM Susan Hubl, Ph.D., Patent Agent (415) 393-2286 (415) 393-2654  
susan.hubl@bingham.com

PAGES (INCLUDING THIS COVER PAGE): 7

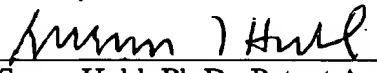
RE US Patent Application Serial No 09/147,919

**OFFICIAL****Message:**

CPA Request (2 pages, 2 copies)  
Copy of Request for Extension of Time  
Receipt for Facsimile Transmitted CPA  
FAX Cover sheet

**Certificate of Transmission under 37 CFR 1.8**

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office on January 7, 2003.

  
Susan Hubl, Ph.D., Patent Agent

Bingham McCutchen LLP  
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PTO/SB/29A (08-00)

Approved for use through 10/31/2002. OMB 0851-0032

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## 1. ADDRESS

Applicant's Mailing Address for this receipt must be CLEARLY PRINTED or TYPED in the box below.

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## 2. APPLICATION IDENTIFICATION:

(Provide at least enough information to identify the application)

## a. For prior application

Application No.:

09/147,919

Filing Date:

March 23, 1999

Title:

Recombinant MVA Virus Expressing Dengue Virus Antigens

Attorney Docket No.:

20239-0703

First Named Inventor:

Cardosa

## b. For instant CPA application

New Attorney Docket No.:

n/a

(If applicable)

The USPTO date stamp, which appears in the box to the right, is an acknowledgement by the USPTO of receipt of a request for a CPA filed by facsimile transmission on the date indicated below.

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Burden Hour Statement: This form is estimated to take 0.4 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

RECEIPT  
FOR  
FACSIMILE TRANSMITTED  
CPA

(To accompany a request for  
a Continued Prosecution Application (CPA)  
under 37 CFR 1.53(c)  
filed by facsimile transmission)